

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7206

BILL NUMBER: HB 1249

NOTE PREPARED: Jan 4, 2005

BILL AMENDED:

SUBJECT: Paramedic Licensing.

FIRST AUTHOR: Rep. Brown T

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill establishes the Paramedic Board to license paramedics instead of the certification of paramedics by the Emergency Management Agency. It sets qualifications and requirements for a licensed paramedic. It makes it a Class B misdemeanor to practice as a paramedic without a license. It also makes conforming changes.

Effective Date: July 1, 2005.

Explanation of State Expenditures: Currently, paramedics are certified by the Emergency Medical Services Commission. This bill removes paramedics from the certification requirements under the Commission and creates the seven-member Paramedic Board to establish licensure requirements for paramedics. Because paramedics will no longer be certified by the Emergency Medical Services Commission, the Commission should experience a reduction in its administrative burden.

The Health Professions Bureau (HPB) is to provide staff support for the Paramedic Board. Revenues from licensure are received by the state General Fund and expenditures are appropriated to HPB with augmentation from the state General Fund. Because the agency uses the same resources to support different boards and committees, it breaks down its expenditures by function rather than by board or committee. For this reason, the individual cost of any board or committee is indeterminable. Depending on revenue balances from licenses issued by all of HPB's boards, HPB could potentially absorb a portion of the operating expenses not covered by the new board's licensing revenue.

According to HPB, the common operating costs among the licensing boards include: board member per diem,

travel expenses, printing, postage, supplies, telephone charges and personnel. Additional staff, such as a PAT II and Secretary III position may be required to provide support for a new board. Start-up costs for a new board may be greater than the annual operating costs once it is established.

The funds and resources required above could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. As of October 2, 2003, HPB employed 55 authorized full-time staff members and had 4 vacancies. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues: According to the Emergency Medical Services Commission, 2,582 paramedics were certified as of September 16, 2004. The amount of revenue potentially generated from issuing a paramedic license is dependent on the fee established by the Paramedic Board and the number of applicants. All revenue collected from paramedic licensure fees is to be collected and accounted for by the HPB and deposited in the state General Fund.

The bill allows paramedics certified by the Emergency Medical Services Commission to not be disciplined or sanctioned for violating the new licensure requirements if a license is obtained by the Board before July 1, 2006.

Court Fee Revenue: The bill also allows the Board to impose a civil penalty up to \$500 on any person who commits an act or makes an omission of gross negligence from practicing paramedic. If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed. 70% of the filing fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Penalty Provision: If an individual practices paramedic or claims to be a paramedic while not having a paramedic license issued by the Board, the person commits a Class B misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: *Penalty Provision:* A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

Penalty Provision: If additional court actions occur and a guilty verdict is entered, local governments would

receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Health Professions Bureau; Emergency Medical Services Commission.

Local Agencies Affected: Trial courts, city and town courts, local law enforcement agencies.

Information Sources: Emergency Medical Services Commission Meeting Minutes, September 16, 2004
www.in.gov/sema/ems.

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